

South Carolina School Transportation Motor Coach Contracting Guidelines and Procedures



**Issued by the
South Carolina Department of Education
Office of Transportation**

**Inez Moore Tenenbaum
State Superintendent of Education**

November 2002

Contents

Preface.....	iv
Federal and State Motor Coach Operational Requirements	1
A. Motor Coach Companies with Interstate Authority.....	1
B. Motor Coach Companies with Intrastate Authority Only.....	2
C. Nonprofit Motor Coach Operators	3
Recommended Procedures for Managing Motor Coach Services	4
A. Creating a List of Approved Motor Coach Companies	4
B. Ordering the Correct Services.....	7
C. Monitoring Services on Motor Coach Arrival at School Site	9

APPENDIXES

A. Sample Documents and Forms

Appendix A-1: MCS-90B Form	11
Appendix A-2: Federal Highway Administration Safety Rating Document	13
Appendix A-3: Certificate of Insurance	14
Appendix A-4: Accident Register	15
Appendix A-5: Annual Vehicle Inspection Report and Commercial Driver's License	16
Appendix A-6: Medical Examiners Certificate	17
Appendix A-7: Driver's Record of Duty Status (Log Book)	18
Appendix A-8: Motor Coach Service Preapproval Application Form	19
Appendix A-9: District Listing of Preapproved Motor Coach Companies	23
Appendix A-10: Letter of Agreement for Motor Coach Services: A Checklist	25
Appendix A-11: Pre-Trip Checklist.....	28

B. Resources

Appendix B-1: South Carolina State Transport Police District Offices	29
Appendix B-2: Federal Motor Carrier Safety Administration: South Carolina Division.....	30
Appendix B-3: Safety Fitness Procedures Part 385	31

Preface

The South Carolina School Charter Transportation Safety Committee, created in October 2001, drew its members from school districts throughout the state, the South Carolina Department of Public Safety, and the State Department of Education. The mission of the Committee was to formulate guidelines and procedures to improve education and training so that South Carolina school children have the safest chartered transportation environment possible.

The guidelines and procedures explained in this document can be used by school and school district personnel to put in place a program of contracting for motor coach services that will help to ensure safe transportation for school children. This document also contains guidelines for contracting with providers of motor coach transportation as well as review of operational, driver, and vehicle criteria that school and district personnel can use in contracting for motor coach service.

The Committee wishes to acknowledge the North Carolina Department of Public Instruction and the contribution that its *School Charter Transportation: Recommended Guidelines and Procedures* has made to the creation of the *South Carolina School Transportation Motor Coach Contracting Guidelines and Procedures*.

Federal and State Motor Coach Operational Requirements

In contracting with a company for charter motor coach services, it is important to understand some basic federal and state requirements for the motor coach industry. Motor coach companies can have the authority to operate either interstate, intrastate, or both. *Intrastate* means that the company only has the authority to operate in South Carolina. *Interstate* means that the motor coach company has the authority to operate in South Carolina and in other states. The governmental requirements of private and nonprofit interstate and intrastate motor coach operators are presented in the following paragraphs.

A. Motor Coach Companies with Interstate Authority

The United States Department of Transportation (USDOT) or its administrative agencies have established the following requirements for motor coach companies that operate across state lines (i.e., interstate):

Federal Motor Carrier Safety Regulations (49 C.F.R. § 301 *et seq.*)

In the language of 49 C.F.R. § 390.5, a motor vehicle “designed or used to transport more than 8 passengers (including the driver) for compensation; or . . . designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation,” the operator of such a vehicle, and the motor carrier’s agents are all subject to the Federal Motor Carrier Safety Regulations (FMCSRs).

Within these regulations are requirements for controlled substance and alcohol testing, minimum levels of insurance, and driver qualifications; driving rules; standards for equipment parts and accessories; hours of service limitations for drivers; requirements for the maintenance of the equipment; and hazardous material rules. The FMCSRs and interpretations can be obtained from the Federal Motor Carrier Safety Administration (FMCSA) Web site at <<http://www.fmcsa.dot.gov/rulesregs/fmcsrhome.htm>>. In addition, an explanation of the FMCSA safety ratings that was written by the Enforcement Section of the North Carolina Division of Motor Vehicles is included in this document as appendix B-3.

1. Controlled Substance and Alcohol Testing

All drivers are subject to preemployment controlled substance testing, random controlled substance/alcohol testing, postaccident testing, reasonable-suspicion testing, return-to-duty testing, and follow-up testing.

2. Financial Responsibility: Insurance

Charter motor coach vehicles are required to have \$5 million in insurance as evidenced by form MCS-90B (see appendix A-1). This is considered public information, and a Certificate of Insurance (see appendix A-3) must be produced for review upon reasonable request by a member of the public.

3. USDOT Identification Number

A charter motor coach company engaged in interstate commerce (a motor coach that crosses a state line) must be marked with the legal name or trade name of the motor coach owner and, as of July 3, 2002, must have the USDOT identification number displayed on both sides of the motor coach.

4. Driver Qualifications

Federal law requires a motor coach company to ensure that a driver is qualified before he or she is allowed to drive the motor coach. A complete driver qualification file must contain all required documents, such as a valid commercial driver's license and a medical certification card. A motor coach company must also ensure that its drivers do not violate the hours of service limitations. The company must maintain records of duty status; six months of time records must always be on file.

For example, a driver cannot drive more than ten hours without taking an eight-consecutive-hour break. A driver cannot drive after having been on duty fifteen hours (part driving time, part nondriving time) without taking an eight-consecutive-hour break. A driver cannot drive after having been on duty sixty hours in a seven-day period or seventy hours in an eight-day period if he or she is operating vehicles every day of the week.

B. Motor Coach Companies with Intrastate Authority Only

A motor coach company that operates only within this state must adhere to the South Carolina Motor Vehicle laws in addition to the FMCSRs. South Carolina requires that buses be registered properly and that a motor coach company transporting passengers for hire must have a minimum of intrastate authority.

1. Controlled Substance and Alcohol Testing

All drivers are subject to USDOT preemployment controlled substance testing, random controlled substance/alcohol testing, postaccident testing, reasonable suspicion testing, return to duty testing, and follow-up testing requirements.

2. Financial Responsibility: Insurance

CAUTION: Motor coach companies with only South Carolina intrastate authority are required to meet only the state minimum insurance requirements. Therefore, in the event of an accident, liability coverage may not be adequate. The required insurance coverage is \$25,000 per person per accident not to exceed \$300,000 and \$10,000 property damage per accident. Therefore, a motor coach transporting fifty passengers, with the minimum insurance coverage, must have only an average of \$6,000 of insurance coverage per passenger ($\$300,000/50 = \$6,000$).

3. Driver Qualifications

South Carolina law requires that the driver of a bus designed to transport more than fifteen passengers including the driver have a valid commercial driver's license (CDL) for the weight of the particular vehicle operated and must have a passenger endorsement.

C. Nonprofit Motor Coach Operators

When a nonprofit organization (e.g., a church) charges for the use of its motor coach or requests a donation, the organization must meet all state and federal qualifications applicable to a commercial motor coach company and be registered accordingly. Nonprofit organizations that carry only organization members or that do not charge passengers to ride are not required to show proof of meeting federal safety compliance requirements. However, they must meet all requirements except those concerning record keeping. Districts using nonprofit motor coach operators should request proof of federal safety compliance.

Recommended Procedures for Managing Motor Coach Services

Ensuring that a school receives safe and dependable motor coach services is a three-step process: creating a list of approved motor coach companies, making informed contracting decisions for particular motor coach services, and conducting on-site monitoring of the actual service the company provides.

A. Creating a List of Approved Motor Coach Companies

How should a school district go about selecting charter motor coach companies to provide transportation for student activity trips? The best practice is for the district to create a list of preapproved motor coach companies and to provide that list to its schools. The list should be updated annually, typically in the late summer, just before the beginning of the new school year.

In order to create its list of preapproved motor coach companies, the school district will need to establish a screening process, using specific criteria to assess the companies. This function is typically the responsibility of the director of finance or his or her designee in the district purchasing office. Appendix A-8, “Motor Coach Service Preapproval Application Form,” provides a form that can be used to standardize and facilitate the process of contacting and screening motor coach companies for the preapproval list. However, in establishing this list, districts must follow their own procurements policies. Districts are also advised to remember that charter motor coach companies with only intrastate authority may have very limited insurance coverage.

Preapproval Timetable

The director of finance, or his or her designee, should develop a timetable for the creation and updating of the preapproved list of motor coach companies. The school district should establish deadline dates for original applications and for annual updates. Each year, the school system should send out an update reminder to each company currently on the preapproved list. If a company does not respond with the updated required information, that company should be removed from the list after a thirty-day grace period. It should also be understood that the school district has the right to update prequalification material at any time.

Preapproval Requirements

A school district should create its list of preapproved carriers by conducting external checks and document reviews of all prospective motor coach companies.

1. External Checks

- **Reference Checks.** The school district's purchasing office should check the references that each company can furnish. The district should ask for a list of at least ten groups that have used the company for charter transportation within the past year and should contact at least three of these groups to ensure that there were no major problems with the services provided. If problems are documented, the school district should make sure that action has been taken by the company or that a plan is in place to rectify the situation before putting the company on the preapproved list.
- **Safety Ratings Check.** The school district should conduct a review of the safety ratings of all prospective motor coach companies. Certain motor coach companies have no safety rating because they have not had a compliance review conducted by the FMCSA. If such a company meets all other criteria for school district preapproval, it can be added to the approved list for a conditional period of one year, with the understanding that it must obtain a safety rating within that year.

A motor coach company receives an FMCSA safety rating as the result of a compliance review by the staff of either the USDOT or the South Carolina State Transport Police (SCSTP). For any interstate motor coach company this safety review must be conducted by the USDOT. If a motor coach company has been audited by the U.S. Department of Defense (DOD), that safety rating is an acceptable substitute for FMCSA rating. The DOD safety audit uses a scale from 1 to 5, with 1 to 3 being acceptable, 4 conditional, and 5 unacceptable. The DOD performs periodic inspections of companies that provide motor coach transportation for U.S. military personnel.

The safety evaluation process developed by the FMCSA assigns a motor coach carrier one of three ratings: satisfactory, conditional, or unsatisfactory. The motor coach company that has received a *conditional* rating lacks some safety management controls. The school district needs to make specific inquiries before accepting a motor coach company with a conditional rating. An *unsatisfactory* motor coach company should not be used. A motor coach company that has been issued an *unsatisfactory* rating and operates vehicles designed to transport fifteen or more passengers is given forty-five calendar days by the FMCSA to improve its rating. A company that fails in this regard is prohibited from operating such vehicles.

Carriers are notified of their official safety rating by the FMCSA, and the school district may want to request a copy of that document. (A sample safety rating document is included here as appendix A-2.) Safety ratings for companies that have had a recent compliance review by the FMCSA can also be found on the Internet:

The home page of the FMCSA has links to carrier information and trade associations, rules and regulations, and general information:

► <http://www.fmcsa.dot.gov/>

The home page of the SAFER (Safety and Fitness Electronic Records) System has links to information about interstate registered carriers (i.e., those authorized to operate in multiple states). Carrier safety ratings can be accessed by company name, USDOT identification number, or MC/MX number:

► <http://www.safersys.org/>

The USDOT's "Motor Carrier Safety: Analysis and Information Online" site contains information about moving violations and SafeStat, the data-driven analysis system that determines the current relative safety status of individual motor carriers:

► <http://www.ai.volpe.dot.gov>

Companies authorized to operate only intrastate transport can be checked by contacting the SCSTP (see appendix B-1 for Web address and district office contact information).

2. Document Review

- **Certificate of Insurance.** The school district should require a prospective motor coach company to submit a Certificate of Insurance (see appendix A-3) on which the school system is named as an additional insured. This certificate must document a minimum amount of \$5 million for interstate operations and may show a lesser amount if the company only has intrastate operating authority. The Certificate of Insurance should have a statement that the additional insured (school district) will be notified thirty days in advance if the company drops any coverage. Documentation of all insurance information should be submitted: the policy number, the amount of coverage for each vehicle, the effective policy dates, the insurance carrier name, the insurance agent/agency, and appropriate carrier/agent telephone numbers.
- **Accident Register.** The school district should require the motor coach company to submit the Accident Register form as required by the FMCSA (see appendix A-4). If the accidents on the register are not corroborated by your on-line review (see the Web sites listed above), then additional questions should be asked. Note that accidents are listed on the Web sites regardless of fault.
- **USDOT Identification Number.** A charter motor coach company engaged in interstate must be marked with the legal name or trade name of the motor coach owner and, as of July 3, 2002, must have the USDOT identification number displayed on both sides of the motor coach. This number can be used at the above Web sites to identify the company.

- **Overbooking and Subcontracting Policy.** The school district should require the motor coach company to submit a policy or statement on overbooking and subcontracting, including the list of companies that are used as subcontractors. Note: *Any company that is used as a subcontractor must also be on the preapproved list.*
- **Last Compliance Review.** The school district should require the motor coach company to submit the date of last compliance review and copy of the review (if the company has had a compliance review).
- **FMCSR Compliance Checklist.** School districts should ask the carrier (regardless of whether or not it operates for profit) to submit a checklist that indicates compliance with the FMCSRs:
 - Part 382, Controlled Substances and Alcohol Use and Testing
 - Part 383, Commercial Driver's License Standards; Requirements and Penalties
 - Part 387, Minimum Levels of Financial Responsibility for Motor Carriers
 - Part 390, Federal Motor Carrier Safety Regulations; General
 - Part 391, Qualifications of Drivers
 - Part 392, Driving of Commercial Motor Vehicles
 - Part 393, Parts and Accessories Necessary for Safe Operation
 - Part 395, Hours of Service of Drivers
 - Part 396, Inspection, Repair, and Maintenance
 - Part 397, Transportation of Hazardous Materials; Driving and Parking Rules
- **Fleet Availability List.** The school district should require the motor coach company to submit a list of the number of vehicles available to deliver anticipated motor coach charter services to the school district by vehicle type (seating capacity, special amenities, etc.), and the city in which each vehicle is stored.
- **Emergency Road Response Plan.** The company must submit a plan for responding to a maintenance failure during the trip. If the assigned vehicle is unable to complete the trip, how will a replacement motor coach be provided?

Once all checks are completed and all required documents are received, the school district should prepare its list of preapproved motor coach companies and furnish it to all schools in the district.

B. Ordering the Correct Services

Once the district has distributed its list of preapproved motor coach companies, a school can proceed to talk with a particular preapproved motor coach company to arrange a trip. The following information is provided to help a school understand what needs to be considered in making an agreement with a particular carrier and how the process should be conducted.

Based on specific requirements of the proposed trip, the school and the preapproved motor coach company must work closely to make sure that they understand exactly what services the school needs and what services will be provided by the motor coach company.

The Letter of Agreement

The school district should create or adopt a form that its schools can use when requesting services from a preapproved motor coach company for a specific trip. An example of such a form is provided in this document as appendix A-10, “Letter of Agreement for Motor Coach Services: A Checklist.”

If the school district wishes to create its own instrument for this purpose, the form should be simple and easy for school personnel to complete and should call for the following information at a minimum:

- name of the school or school group requesting the service,
- name of the prequalified motor coach company selected to provide the service,
- trip origin and destination,
- trip date(s) and time(s),
- total number of vehicles required for the trip,
- total number of drivers required (if two or more, an explanation should be provided as to how and when the school expects the drivers to rotate driving duties),
- total number of passengers going on the trip,
- what amount of unusual equipment/luggage (e.g., band equipment) the company allows and what unusual equipment/luggage the school needs to have transported,
- what special requirements the vehicle(s) must fulfill (e.g., handicapped accessible, large equipment storage),
- itemized and total charges for the trip,
- who will pay (i.e., who should be invoiced) for the service,
- how and when payment will be made,
- name and all-hours telephone number of the school contact person, and
- name and all-hours telephone number of the motor coach company contact person.

Letter of Agreement Checklist: Major Items

1. Trip Details and Mileage

The school representative who is contracting with the motor coach carrier should know the date of trip, number of passengers to be transported, and the trip itinerary. This individual must be sure to discuss the mileage with the carrier company’s representative. Trips of more than 550 miles should take more than ten hours and therefore will require more than one driver. However, some trips less than 550 miles may require more than ten hours of driving time (e.g., in rural or mountainous areas). The “ten hour rule” takes effect when the driver begins driving the bus for this trip (i.e., leaving the bus terminal). Be sure that the letter of agreement includes either the cost of an extra driver if the length of the trip requires an additional driver or the cost of providing an appropriate location for the driver to rest. The driver cannot rest on the bus. Remember that the trip ends when the bus is parked after the trip itinerary is completed at the bus terminal, not when the students get off the bus.

2. Trip Cost and Payment

The school needs to understand how the cost of the trip will be determined. Make sure to identify whether the charges for the trip will be based on a daily rate or a mileage fee. Be sure to understand and discuss with the motor coach company any special driver accommodations, gratuity, or other costs. Be sure that you understand if there are any other costs—taxes, permits, or fees. Discuss and understand the deposit and refund/cancellation policy that will apply to the trip. Know how much of the total payment is due at the time of the reservation and when the final payment is due. (See appendix A-8, “Motor Coach Service Preapproval Application Form,” item 7, and the form “Preapproved Motor Coach Companies” in appendix A-9.)

3. Emergency Contact and Miscellaneous Issues

The school should know how to contact the motor coach company twenty-four hours a day in case of emergency (e.g., if the bus driver or vehicle does not show at the scheduled time and place).

The school needs to understand any miscellaneous policies that might affect the trip (e.g., carry-on food or beverages).

At some designated time, typically seven to ten days before the trip, the school contact person should make sure that neither the agreement nor the itinerary has changed. A call to the contracted motor coach company should be made to confirm the arrangements. If changes are necessary, they should be documented in writing.

C. Monitoring Services on Motor Coach Arrival at School Site

When a charter bus arrives to load the students for a trip, a school representative—typically the school principal, the vice principal, or a teacher—must be on-site to make sure that the motor coach company and the specific vehicles that arrive at the school are what the school has ordered. In addition, the representative needs to make certain that a number of other requirements have been met.

Provided in this document is a “Pre-Trip Checklist” (appendix A-11) designed to make certain that the school representative knows exactly what things need to be checked prior to the start of the trip. It is a quick and easy check to perform but is one that is essential to ensuring that the trip will be safe and successful. The check should be done privately with the driver, not in front of the students. In other words, the review should be completed before the students arrive or before the students are allowed in the boarding area.

1. Review the Driver's Documentation

To ensure that the driver has the authority to operate the motor coach, the school representative should check to see that the driver has the following documents:

- A. Valid commercial driver's license with a P (*passenger*) endorsement. (See appendix A-5.)
- B. Valid medical examiners certificate (pocket card). A medical certificate specifies an expiration date. The certificate is not valid beyond the expiration date shown on the card. (See appendix A-6.)
- C. Driver's record of duty status (log book). Make sure that such a log book is on board and that the driver's duty status for the trip to the school loading area has been recorded. (See appendix A-7.) The log book should also show the previous seven days record of duty status for each driver involved in the contracted trip.

2. Check Motor Coach Registration and Inspection

The motor coach driver must provide certain information on each vehicle that is to be used on the trip. The purpose of this documentation is to ensure that the vehicle is properly registered and is in good mechanical condition.

- A. Check each vehicle's registration card to ensure that the vehicle is authorized to operate in the states that the trip will pass through. Make sure that the bus's license plate and vehicle identification numbers match the registration card.
- B. Check to see a copy of the vehicle's USDOT annual inspection document, either a sticker or on paper. (See appendix A-5.) Note: these documents indicate the date of inspection, not the date of expiration, and are usually valid for only one year.

3. Vehicle Safety Check

Perform the safety check on the vehicle(s) that is detailed in the "Pre-Trip Checklist" (appendix A-11).

By the time the bus is loaded and ready for departure, most of the trip details should be in place, and the school representative should have determined that the motor coach company is indeed prepared to provide the services. At this point, it is important that the school representative give the school's letter of agreement with the motor coach company to the school representative who will be traveling with the students so that he or she will have a summary of the services that are to be provided and will know the emergency contact's name and phone number in case the need arises.

APPENDIX A-1
MCS-90B Form

**ENDORSEMENT FOR
MOTOR CARRIER POLICIES OF INSURANCE FOR PUBLIC LIABILITY
UNDER SECTION 18 OF THE BUS REGULATORY REFORM ACT OF 1982**

Form Approved
OMB No. 2125-0518

Issued to _____ of _____

Dated at _____ this _____ day of _____, 19 _____

Amending Policy No. _____ Effective Date _____

Name of Insurance Company _____

Countersigned by _____
Authorized Company Representative

The policy to which this endorsement is attached provides primary or excess insurance, as indicated by "X", for the limits shown:

- ☐ This insurance is primary and the company shall not be liable for amounts in excess of \$ _____ for each accident.
- ☐ This insurance is excess and the company shall not be liable for amounts in excess of \$ _____ for each accident in excess of the underlying limit of \$ _____ for each accident.

Whenever required by the Federal Highway Administration (FHWA) or the Interstate Commerce Commission (ICC) the company agrees to furnish the FHWA or the ICC a duplicate of said policy and all its endorsements. The company also agrees, upon telephone request by an authorized representative of the FHWA or the ICC, to verify that the policy is in force as of a particular date. The telephone number to call is: _____.

Cancellation of this endorsement may be effected by the company or the insured by giving (1) thirty-five (35) days notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice), and (2) if the insured is subject to the ICC's jurisdiction, by providing thirty (30) days notice to the ICC (said 30 days notice to commence from the date the notice is received by the ICC at its office in Washington, D.C.).

DEFINITIONS AS USED IN THIS ENDORSEMENT

ACCIDENT includes continuous or repeated exposure to conditions which results in Public Liability which the insured neither expected nor intended.

BODILY INJURY means injury to the body, sickness, or disease to any person, including death resulting from any of these.

MOTOR CARRIER means for-hire carrier of passengers by motor vehicle.

PROPERTY DAMAGE means damage to or loss of use of tangible property.

PUBLIC LIABILITY means liability for bodily injury or property damage.

The insurance policy to which this endorsement is attached provides automobile liability insurance and is amended to assure compliance by the insured, within the limits stated herein, as a for-hire motor carrier of passengers, with Section 18 of the Bus Regulatory Reform Act of 1982 and the rules and regulations of the Federal Highway Administration (FHWA) and the Interstate Commerce Commission (ICC).

In consideration of the premium stated in the policy to which this endorsement is attached, the insurer (the company) agrees to pay, within the limits of liability described herein, any final judgment recovered against the insured for public liability resulting from negligence in operation, maintenance or use of motor vehicles subject to the financial responsibility requirements of Section 18 of the Bus Regulatory and Reform Act of 1982 regardless of whether or not each motor vehicle is specifically described in the policy and whether or not such negligence occurs on any route or in any territory authorized to be served by the insured or elsewhere. Such insurance as is afforded, for public liability, does not apply to injury to or death of the insured's employees while engaged in the course of their employment, or property transported by the insured, designated as cargo. It is understood and agreed that no condition, provision, stipulation, or limitation contained in the policy, this endorsement, or any other endorsement thereon, or violation

thereof, shall relieve the company from liability or from the payment of any final judgment, within the limits of liability herein described, irrespective of the financial condition, insolvency or bankruptcy of the insured. However, all terms, conditions, and limitations in the policy to which the endorsement is attached shall remain in full force and effect as binding between the insured and the company. The insured agrees to reimburse the company for any payment made by the company on account of any accident, claim, or suit involving a breach of the terms of the policy, and for any payment that the company would not have been obligated to make under the provisions of the policy except for the agreement contained in this endorsement.

It is further understood and agreed that, upon failure of the company to pay any final judgment recovered against the insured as provided herein, the judgment creditor may maintain an action in any court of competent jurisdiction against the company to compel such payment.

The limits of the company's liability for the amounts prescribed in this endorsement apply separately, to each accident, and any payment under the policy because of any one accident shall not operate to reduce the liability of the company for the payment of final judgments resulting from any other accident.

The Bus Regulatory Reform Act of 1982 requires limits of financial responsibility according to vehicle seating capacity. It is the MOTOR CARRIER'S obligation to obtain the required limits of financial responsibility.

THE SCHEDULE OF LIMITS SHOWN ON THE REVERSE SIDE DOES NOT PROVIDE COVERAGE.

The limits shown in the schedule are for information purposes only.

Form MCS-90B

(Over)

SCHEDULE OF LIMITS
Public Liability

Type of Carriage	Commodity Transported	Minimum Insurance
(1) For-hire (In interstate or foreign commerce).	Property (nonhazardous).	\$ 750,000
(2) For-hire and Private (In interstate, foreign, or intrastate commerce).	Hazardous substances as defined in 49 CFR 171.8, transported in cargo tanks, portable tanks, or hopper-type vehicles with capacities in excess of 3,500 water gallons; or in bulk Class A or B explosives, poison gas (Poison A), liquefied compressed gas or compressed gas, or highway route controlled quantity radioactive materials as defined in 49 CFR 173.403.	5,000,000
(3) For-hire and Private (In interstate or foreign commerce; in any quantity) or (In intrastate commerce: in bulk only).	Oil listed in 49 CFR 172.101, hazardous waste, hazardous materials and hazardous substances defined in 49 CFR 171.8 and listed in 49 CFR 172.101, but not mentioned in (2) above or (4) below.	1,000,000
(4) For-hire and Private (In interstate or foreign commerce).	Any quantity of Class A or B explosives, any quantity of poison gas (Poison A); or highway route controlled quantity radioactive materials as defined in 49 CFR 173.403.	5,000,000

Note: The type of carriage listed under (1), (2), and (3) applies to vehicles with a gross vehicle weight rating of 10,000 pounds or more. The type of carriage listed under number (4) applies to all vehicles with a gross vehicle weight rating of less than 10,000 pounds.

Note: This table showing the schedule of limits may appear at the bottom or on the reverse side of Form MCS-80.


SCHEDULE OF LIMITS
Public Liability
For-hire motor carriers of passengers operating in interstate or foreign commerce

Vehicle Seating Capacity	Minimum Insurance
(1) Any vehicle with a seating capacity of 16 passengers or more.	\$ 5,000,000
(2) Any vehicle with a seating capacity of 15 passengers or less. ¹	1,500,000

¹Except as provided in 387.27(b)

APPENDIX A-2

Sample Federal Highway Administration Safety Rating Document


U.S. Department
of Transportation
**Federal Highway
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

OCTOBER 06, 1999

IN REPLY REFER TO:
YOUR USDOT NO.: 211037
REVIEW NO.: 00216741/CR

BURKE INTERNATIONAL TOURS INC
P O BOX 880
NEWTON NC 28658-0880

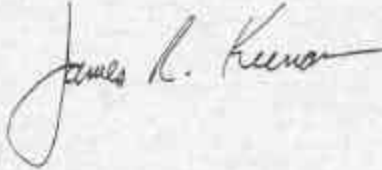
DEAR MOTOR CARRIER:

THE MOTOR CARRIER SAFETY RATING FOR YOUR COMPANY IS:

SATISFACTORY

THIS SATISFACTORY RATING IS THE RESULT OF A OCT 01, 1999, REVIEW AND EVALUATION. A SATISFACTORY RATING INDICATES THAT YOUR COMPANY HAS ADEQUATE SAFETY MANAGEMENT CONTROLS IN PLACE TO EFFECT SUBSTANTIAL COMPLIANCE WITH THE FEDERAL MOTOR CARRIER SAFETY AND/OR HAZARDOUS MATERIALS REGULATIONS.

PLEASE ASSURE YOURSELF THAT ANY SPECIFIC DEFICIENCIES IDENTIFIED IN THE REVIEW REPORT HAVE BEEN CORRECTED. WE APPRECIATE YOUR EFFORTS TOWARD PROMOTING MOTOR CARRIER SAFETY THROUGHOUT YOUR COMPANY. IF YOU HAVE QUESTIONS OR REQUIRE FURTHER INFORMATION, PLEASE CONTACT THE SAFETY SPECIALIST WHO CONDUCTED THE REVIEW.



JAMES R. KEENAN
NATIONAL FIELD COORDINATOR,
OFFICE OF MOTOR CARRIER FIELD OPERATIONS

APPENDIX A-3

Certificate of Insurance

CERTIFICATE OF INSURANCE				Date of Issue: 04/06/2001		
PRODUCER MURRAY M WHITE INC 1911 N MAIN STREET HIGH POINT, NC27261			This certificate provides information only, and confers no rights upon the certificate holder. It does not change, amend, extend, or alter the coverage afforded by the policies that are listed below.			
Contact: INSURED BURKE INTERNATIONAL TOURS, INC. 4643 HIGHWAY 16 SOUTH MAIDEN NC 28650-0000			COMPANY A National Interstate Insurance Company			
<small>THIS CERTIFIES THAT THE POLICIES OF INSURANCE THAT ARE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE INDICATED POLICY PERIOD. THE INSURANCE PROVIDED BY THE POLICIES LISTED BELOW IS SUBJECT TO ALL OF THE TERMS, EXCLUSIONS, AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. NO REQUIREMENT, TERM, OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN SHALL EXTEND THE POLICY PERIOD OR CHANGE THE COVERAGE OR CONDITIONS PROVIDED BY THE LISTED POLICIES.</small>						
CD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE	POLICY EXPIRATION DATE	LIMITS	
A	COMMERCIAL GENERAL LIABILITY Occurrence Form	CGLF 320256-01	03/01/2001	03/01/2002	GENERAL AGGREGATE	\$5,000,000
					PRODUCTS - COMP/DP AGG	
					PERSONAL & ADV INJURY	
					EACH OCCURRENCE	\$1,000,000
					FIRE DAMAGE (any one fire)	
					MED EXPENSE (any one person)	
A	AUTOMOBILE LIABILITY <input type="checkbox"/> Any Auto <input checked="" type="checkbox"/> All Owned Autos <input checked="" type="checkbox"/> Scheduled Autos <input checked="" type="checkbox"/> Hired Autos <input checked="" type="checkbox"/> Non-owned Autos	CCAD 320680-03	03/01/2001	03/01/2002	COMBINED SINGLE LIMIT	\$5,000,000
					BODILY INJURY (per person)	
					BODILY INJURY (per accident)	
					PROPERTY DAMAGE	
A	AUTOMOBILE PHYSICAL DAMAGE <input type="checkbox"/> Collision <input type="checkbox"/> Other Than Collision <input type="checkbox"/> Deductible - Collision <input type="checkbox"/> Deductible - Other Than Collision				<input type="checkbox"/> Actual Cash Value <input type="checkbox"/> Stated Amount <input type="checkbox"/> Scheduled Vehicles Only	
A	EXCESS LIABILITY <input type="checkbox"/> Umbrella Form <input checked="" type="checkbox"/> Other than Umbrella Form	CEXF 320980-02	03/01/2001	03/01/2002	EACH OCCURRENCE:	\$5,000,000
					AGGREGATE:	
					SELF INSURED RETENTION:	
					STATUTORY LIMITS	
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				EACH ACCIDENT:	
					DISEASE - POLICY LIMIT:	
					DISEASE - EACH EMPLOYEE:	
OTHER						
Description: CERTIFICATE HOLDER IS ADDITIONAL INSURED IN REGARDS TO THEIR USE OF VIN# 2PCH3345811014187.						
CERTIFICATE HOLDER PREVOST CAR INC.			CANCELLATION Should any of the policies listed above be canceled before the expiration date, the company will endeavor to mail 30 days written notice to the certificate holder named on the left, but failure to mail such notice shall impose no obligation or liability upon the company, its agents or representatives.			
AUTHORIZED REPRESENTATIVE						

Accident Register

Note: This form is provided as a suggested format for recording accidents. A motor carrier may use any register format for documenting recordable accidents, per Part 390.

APPENDIX A-5

Annual Vehicle Inspection Report/Annual Vehicle Inspection Decal

FEDERAL ANNUAL INSPECTION

This vehicle has passed an annual inspection conducted
in accordance with 49 CFR, Part 396, FMCSR.

Unit:

Co. Name:

Street:

City, State, Zip:

DATE OF INSPECTION:

Month: 1 2 3 4 5 6 7 8 9 10 11 12

Year: 2002 2003 2004 2005 2006 2007

REORDER: South Carolina Trucking Assn. 803-799-4306

South Carolina Commercial Driver's License



APPENDIX A-6

Medical Examiners Certificate

MEDICAL EXAMINERS CERTIFICATE

(I certify that I have Examined)

(Driver's name (Print))

In accordance with the Federal Motor Carrier Safety Regulations (49 CFR §391.41 thru §391.49) and with knowledge of his/her duties, I find him/her qualified under the regulations. Expiration of Certificate: _____

- Qualified only when wearing ☐ Corrective lenses ☐ Hearing aid
☐ Qualified by operation of 49 CFR §391.64
☐ Medically unqualified unless accompanied by a _____ waiver.
☐ Medically unqualified unless driving within an exempt intracity zone.

A completed examination form of this person is on file in my office at:

(Area code/Phone) (License/Certificate No.) (State)

(Medical Examiner (Print name & Title)) (Signature)

(Signature of Driver)

(Address of Driver)

1/97

Driver's Record of Duty Status (Log Book)

Published by J. J. KELLER & ASSOCIATES, INC., Neenah, WI • USA • (800) 327-6068 • Printed in the United States

Motor Coach Service Preapproval Application Form

Your motor coach company is invited to seek approval for use by the [School District Name]. Please complete this form and submit it, along with the requested attachments, to this address:

Contact Person's Name

School District Name

Street Address

City, State, Zip

Motor coach company: _____ Contact person: _____ Street: _____ City, state, zip: _____ Phone number: _____ - _____ - _____ Fax number: _____ - _____ - _____ E-mail: _____	Emergency contacts: Name: _____ All-hours phone number: _____ - _____ - _____ Name: _____ All-hours phone number: _____ - _____ - _____
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------

A. Address each of the following requests for information in the space provided here. Please type or print clearly. (If more space is necessary, additional pages may be attached. Please reference your responses as "Section A" and use the appropriate item numbers on any added pages.)

1. Summarize your company's maintenance program, your maintenance personnel qualifications requirements, and your vehicle inspection program.

2. List the state or national professional associations or emergency aid organization in which your company maintains membership:

Name: _____
 Name: _____
 Name: _____

3. (A) Summarize your company's policy on emergencies and maintenance breakdowns. *Attach a copy of the actual policy statement.* (B) Describe in summary any recent breakdowns on trips.
4. Explain your company's policies on drivers' hours of service *if they are other than those required in Part 395.*
5. Specify by description type (seating capacity, special features, etc.) the number of motor coach vehicles your company has available for contracting: If additional space is needed, attach additional pages.

VEHICLE TYPE	NUMBER AVAILABLE	SEATING CAPACITY	SPECIAL FEATURES

7. Indicate the method of payment your company requires:

- ☐ full payment 7 days before service **OR** ☐ full payment due within 30 days after service
- ☐ What is the motor coach company's fee for transportation services and how is it computed?
- ☐ daily rate per bus: \$ _____ **OR** ☐ mileage fee: \$ _____ per mile

B. Submit the following documents with this application form:

1. a Certificate of Insurance in the amount of \$5 million (minimum) on which the school system is named as an additional insured or, if your company is an intrastate carrier, a Certificate of Insurance verifying a lesser amount;
2. Form MCS-90B, "Endorsements for Motor Carrier of Passengers policies of insurance for public liability under Sections 18 of the Bus Regulatory Reform Act of 1982";

3. evidence of a USDOT identification number (MCS-150, FMCSA letter, etc);
4. a policy statement on overbooking and subcontracting, including the list of companies that are used as subcontractors (NOTE: any company that is used as a subcontractor *must* also be on this school district's approved list of contractors);
5. a *dated* copy of your last compliance review, if applicable; and
6. a copy of your company's Accident Register.

C. Federal Motor Carrier Safety Regulations

By affixing my initials to each of the following Federal Motor Carrier Safety Regulations listed below, I certify that my company meets all safety requirements of the Federal Motor Safety Carrier Administration:

INITIAL

Part 382, Controlled Substances and Alcohol Use and Testing	_____
Part 383, Commercial Driver's License Standards; Requirements and Penalties	_____
Part 387, Minimum Levels of Financial Responsibility for Motor Carriers	_____
Part 390, Federal Motor Carrier Safety Regulations; General	_____
Part 391, Qualifications of Drivers	_____
Part 392, Driving of Commercial Motor Vehicles	_____
Part 393, Parts and Accessories Necessary for Safe Operation	_____
Part 395, Hours of Service of Drivers	_____
Part 396, Inspection, Repair, and Maintenance	_____
Part 397, Transportation of Hazardous Materials; Driving and Parking Rules	_____

D. Drug and Alcohol Policy in Compliance with Part 382

How many drivers does your company employ (part-time and full-time)? _____

How many drug tests did your company administer during the last calendar year? _____

How many alcohol tests did your company administer during last calendar year? _____

Is your company a member of a motor coach transport drug testing consortium? ☐ Yes ☐ No

If yes, list all consortium companies:

Name: _____	Phone: _____ - _____ - _____
Name: _____	Phone: _____ - _____ - _____
Name: _____	Phone: _____ - _____ - _____

CERTIFICATION

As the authorized representative of my company, I hereby certify that all information contained in this document and all required documents attached to this document are factual and correct.

Name: _____ Title: _____
(Please print or type.) (Include company name . Please print or type.)

Signature: _____ Date: _____

APPENDIX A-9

District Listing of Preapproved Motor Coach Companies

On the following page is the form that the school district should complete and provide to its schools as their district's list of preapproved motor coach companies for school trips. Reproduce as many copies of this sheet as necessary.

Preapproved Motor Coach Companies

School District: _____

<p>Motor coach company: _____</p> <p>Contact person: _____</p> <p>Mailing address: _____</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">city state zip</p> <p>Phone number: _____ - _____ - _____</p> <p>Fax number: _____ - _____ - _____</p> <p>E-mail: _____</p>	<p>Payment method:</p> <p><input type="checkbox"/> full payment 7 days before service</p> <p><input type="checkbox"/> full payment due within 30 days after service</p>
<p>Motor coach company: _____</p> <p>Contact person: _____</p> <p>Mailing address: _____</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">city state zip</p> <p>Phone number: _____ - _____ - _____</p> <p>Fax number: _____ - _____ - _____</p> <p>E-mail: _____</p>	<p>Payment method:</p> <p><input type="checkbox"/> full payment 7 days before service</p> <p><input type="checkbox"/> full payment due within 30 days after service</p>
<p>Motor coach company: _____</p> <p>Contact person: _____</p> <p>Mailing address: _____</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">city state zip</p> <p>Phone number: _____ - _____ - _____</p> <p>Fax number: _____ - _____ - _____</p> <p>E-mail: _____</p>	<p>Payment method:</p> <p><input type="checkbox"/> full payment 7 days before service</p> <p><input type="checkbox"/> full payment due within 30 days after service</p>
<p>Motor coach company: _____</p> <p>Contact person: _____</p> <p>Mailing address: _____</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">city state zip</p> <p>Phone number: _____ - _____ - _____</p> <p>Fax number: _____ - _____ - _____</p> <p>E-mail: _____</p>	<p>Payment method:</p> <p><input type="checkbox"/> full payment 7 days before service</p> <p><input type="checkbox"/> full payment due within 30 days after service</p>

Letter of Agreement for Motor Coach Services: A Checklist

For this form to be regarded as a formal letter of agreement between the school or district and the motor coach company, it must be completed and signed by a school or district representative and then signed by a representative of the motor coach company and a copy returned to the school or district.

☐ **Select a motor coach company from your district's list of approved companies.**

- ☐ Name of company contacted: _____
- ☐ Name of company's representative: _____
- ☐ Phone number: _____ - _____ - _____ Fax number: _____ - _____ - _____
- ☐ E-mail address: _____
- ☐ Mailing address: _____

street address
city
state
zip

☐ **Be ready to provide the motor coach company the following information:**

- ☐ Name of school or school group sponsoring the trip: _____
- ☐ Trip departure date: _____ Time: ____:____ ☐ A.M. ☐ P.M.
- ☐ Pick-up location: _____
- ☐ Trip itinerary—describe in detail where the bus(es) must transport students:

- ☐ Trip return date: _____ Time: ____:____ ☐ A.M. ☐ P.M.
- ☐ Drop-off location: _____
- ☐ Total number of passengers going on trip (students, teachers, chaperons, etc.): _____
- ☐ If any unusual equipment/luggage (e.g., band equipment) is to be transported, specify what type and how much:

- ☐ List any special requirements for the bus(es) (e.g., handicapped accessible, large equipment storage):

☐ **Confirm with Motor Coach Company**

- ☐ Name of emergency contact person: _____
- ☐ All-hours phone number: _____ - _____ - _____
(area code)
- ☐ Number of drivers required: _____ ☐ Total trip mileage: _____
- ☐ If two or more drivers are required, how and when should the school expect the drivers to rotate driving duties)? _____

- ☐ Specify seating capacity and special requirements for each bus required:

	SEATING CAPACITY	SPECIAL REQUIREMENTS	IDENTIFICATION NUMBER*
Bus 1			
Bus 2			
Bus 3			
Bus 4			

**If possible, obtain the identification numbers of the buses to be used.*

☐ **Identify Trip Costs and Payment Method**

- ☐ What is the motor coach company's fee for transportation services and how is it computed?
- ☐ daily rate per bus: \$ _____ **OR** ☐ mileage fee: \$ _____ per mile
- ☐ Other fees: \$ _____
- The district may be responsible for other charges. Itemize such charges in detail if necessary:

- ☐ Total charges for all transportation services: \$ _____ (Include total fee for all buses ordered.)
- ☐ Who will pay for the services (i.e., who should be invoiced if not the school or district representative who made these arrangements)?

- ☐ What will the method of payment be?
- ☐ full payment 7 days before service **OR** ☐ full payment due within 30 days after service
- ☐ How can payment be made?
- ☐ cash ☐ check ☐ credit card (cards accepted: _____)
- ☐ Contact person for billing questions if different from the motor coach company listed above:
- Name of billing company: _____
- Name of billing company's representative: _____
- Phone number: _____ - _____ - _____ Fax number: _____ - _____ - _____
(area code) (area code)
- E-mail address: _____
- Mailing address: _____
street address city state zip

CONFIRMATION BY SCHOOL OR DISTRICT OF ARRANGEMENTS FOR SERVICES

To be completed by the school or district representative who made the arrangements:

Date arrangements with motor coach carrier were finalized: _____

Your name: _____
(type or print)

Your school/district position: _____
(type or print)

Your signature: _____ Date signed: _____

**A copy of this completed form (pages 1–3) must be mailed or faxed to
the contracted company for confirmation of agreement.**

CONFIRMATION BY MOTOR COACH COMPANY OF AGREEMENT FOR SERVICES

To be completed by a representative of the motor coach company:

Name of company representative: _____
(type or print)

Position: _____
(type or print)

Signature: _____ Date signed: _____

**A copy of this *signed* document (pages 1–3) must be mailed or faxed
back to the school or district at the following address:**

Contact Person's Name
School or District Name
Street Address
City, State, Zip
Fax Number: xxx-xxx-xxxx

:

APPENDIX A-11
Pre-Trip Checklist

School or school group sponsoring the trip: _____

Trip departure date: _____ Pick-up location: _____

Trip return date: _____ Drop-off location: _____

Contracted motor coach company: _____

Number of buses contracted: _____

Emergency contact person (please type or print): _____

All-hours phone number: _____ - _____ - _____

PRIOR TO THE DAY OF THE TRIP

- ☐ Review the terms of the letter of agreement.

VEHICLE ARRIVAL

OPERATIONAL

- ☐ Check to make sure that the company whose vehicle(s) arrive is the company that was contracted for this trip. If the vehicle(s) are not from that company, ensure that the vehicle(s) are from valid subcontractors of that company and are on the district's list of preapproved carriers.
- ☐ Make sure that the proper number of buses and drivers are present, *as stipulated in the contract for the trip*.

VEHICLE SAFETY CHECK

- ☐ windows/windshield not severely cracked
- ☐ windshield wipers work
- ☐ heating/air conditioning and windshield defogging systems work
- ☐ interior lights work
- ☐ headlights (high beam/low beam) work
- ☐ tail lights/brake lights work
- ☐ horn works
- ☐ tires (no slick tires and all tires appear to be properly inflated)
- ☐ no unusual oil/grease leaks (at wheel seals or under the bus)
- ☐ fire extinguisher (available and charged)
- ☐ no air leaks (walk around vehicle and listen for air leaks while driver applies the brakes)
- ☐ copy of the annual safety inspection (either sticker or form) available

DRIVER/VEHICLE INFORMATION

- ☐ valid commercial drivers license with a P (passenger) endorsement
- ☐ valid medical certificate (pocket card)
- ☐ driver's record of duty status (log book)
- ☐ copies of the previous seven days' record of duty status for each driver
- ☐ vehicle registration card to ensure that vehicle is authorized to operate in the states of the trip. Make sure that the license plate and vehicle identification number matches the number on the registration card
- ☐ vehicle's USDOT annual inspection document, either a sticker or on paper (Note: these documents indicate the date of inspection, not the date of expiration, and are usually valid for only one year.)

GOING ON THE TRIP

- ☐ Take a copy of the letter of agreement on the trip. The emergency contact's name and phone number should be in that form.

APPENDIX B-1

South Carolina State Transport Police: District Offices



STATE
TRANSPORT
POLICE



Web site: <http://www.scdps.org/stp/>

HEADQUARTERS

101 Executive Center Dr.
Saluda Building, Suite 120
Columbia, SC 29210-8412
Main phone: 803-896-5500
Fax: 803-896-5526

DISTRICT ONE

800 Dutch Square Blvd., Suite 205
Columbia, SC 29210
Main phone: 803-896-5520
Fax: 803-896-8289

DISTRICT TWO

814 Buncombe St.
Edgefield, SC 29824
Main phone: 803-637-2252
Fax: 803-637-2285

DISTRICT THREE

211 Century Dr., Suite 100-D
Greenville, SC 29607
Main phone: 864-241-1022
Fax: 864-241-1173

DISTRICT FOUR

2025 Ebenezer Rd., Suite H
Rock Hill, SC
Main phone: 803-324-1136
Fax: 803-324-5240

DISTRICT FIVE

3515 Palmetto St.
Florence, SC 29503
Main phone: 843-661-4895
Fax: 843-661-4897

DISTRICT SIX

Dorchester Westbound Scales
Mile Marker 174, Interstate 26
Main phone: 843-462-2024
Fax: 843-462-2490

DISTRICT SEVEN

64 Bridge St.
Bamberg, SC 29003
Main phone: 803-245-5746
Fax: 803-245-0779

SPECIAL OPERATIONS

800 Dutch Square Blvd., Suite 205
Columbia, SC 29210
Main phone: 803-896-8282
Fax: 803-896-8289

SPECIAL OPERATIONS— STAR UNIT

800 Dutch Square Blvd., Suite 205
Columbia, SC 29210
Main phone: 803-896-8250
Fax: 803-896-8289

MOTOR CARRIER SERVICES ONE STOP SHOP

1412 Shop Rd.
Columbia, SC 29201
Main phone: 803-737-6620
Fax: 803-737-6605, 803-737-6624

APPENDIX B-2

Federal Motor Carrier Safety Administration: South Carolina Division

Web site: <http://www.fmcsa.dot.gov/>



South Carolina Division

1835 Assembly Street, Suite 1253
Columbia, SC 29201-2430
Phone: 803-765-5414
Fax: 803-765-5413

Curtis L. Thomas
Division Administrator
Phone: 803-765-5414, ext. 5116

[*position vacant*]
Safety Program Manager
Phone: 803-765-5414, ext. 3387

Charles Isetts
Hazardous Material Specialist
Phone: 803-765-5414, ext. 5389

William Graber
Safety Investigator
Phone: 803-765-5414, ext. 3888

Mary L. Smalls
Transportation Assistant
Phone: 803-765-5414, ext. 3385

Angela C. Gahagan
Federal Program Specialist
Phone: 803-765-5414, ext. 3884

Peggy Benton
Safety Investigator
Phone: 803-765-5414, ext. 3389

Jerry Sullivan
Safety Investigator
Phone: 864-876-4852

Rhonda L. Johnson
Office Automation
Phone: 803-765-5414, ext. 3393

APPENDIX B-3

The following explanation of FMCSR safety ratings, which is based on 49 C.F.R. § 385, Appendix B, was written by the Enforcement Section of the North Carolina Division of Motor Vehicles and originally appeared in *School Charter Transportation: Recommended Guidelines and Procedures*, published by the North Carolina Department of Public Instruction. The formatting is rendered here as it appears in the published document. The text has not been edited in any way.

Safety Fitness Procedures Part 385

A motor carrier receives a safety rating when a compliance officer conducts an on-site review of the carriers compliance with the Federal Motor Carrier Safety Regulations and the Hazardous Materials Regulations.

A compliance review is an on-site examination of the motor carrier's records and operations to determine whether the carrier meets the safety fitness standard. A compliance review is conducted to investigate potential safety violations, investigate complaints, or is in response to a carrier's request for a change in safety rating. The results of the review may result in the initiation of an enforcement action.

The safety rating is identified through calculation of Acute or Critical violations of the FMCSR or Hazardous Materials Regulations. For each acute violation or pattern of critical violations, one point is assigned.

Acute are those regulations where noncompliance is so severe that it requires immediate corrective action. A single instance of an acute violation causes the carrier to be assessed one point.

Critical are those regulations where noncompliance relates to management or operational control. A pattern of critical violations of a given regulation results in the assessment of a point. Note: a pattern is defined as 10% of the records an investigator reviews (e.g. investigator reviews 100 driver qualification files and discovers 12 violations of the minimum age requirement - 1 point is assigned).*

The investigator will typically review six areas of a carrier's operation. These areas are called factors:

They are:

- Factor 1 General (Financial responsibility & General Requirements)
- Factor 2 Driver (Drug and Alcohol Testing, CDL, & Driver Qualifications)
- Factor 3 Operational (Safe Driving and Hours of Service)
- Factor 4 Vehicle (Parts & Accessories; Inspection, Repair & Maintenance)
- Factor 5 Hazmat (Handling, Parking & Driving)
- Factor 6 Accidents (Recordable Accidents)

*Each point assessed for hours of service violations are automatically doubled.

Safety Fitness Procedures Part 385 (cont'd)

Each factor is assigned a rating based on the number of points assigned for the violations within that factor. One point equals a factor rating of conditional, two points in a factor equals a factor rating of unsatisfactory.

Using these individual factor ratings, the investigator will then determine the carrier's overall rating based on the table shown below.

Motor Carrier Safety Rating Table

Factor Ratings		Overall Safety Ruling
Unsatisfactory	Conditional	Overall Safety Rating
0	2 or less	Satisfactory
0	More than 2	Conditional
1	2 or less	Conditional
1	More than 2	Unsatisfactory
2 or more	0 or more	Unsatisfactory

The overall safety ratings carry the following meanings:

Satisfactory: A motor carrier has in place and functioning adequate safety management controls to meet the safety fitness standards.

Conditional: A motor carrier does not have adequate safety management controls in place to ensure compliance with the safety fitness standard that would result potential violations.

Unsatisfactory: A motor carrier does not have adequate [sic] safety management controls in place to ensure compliance with the safety fitness standards that has resulted in violations.